

# TEXAS TRANSPORTATION COMMISSION

Various Counties

## MINUTE ORDER

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Various Districts

Transportation Code, §201.206, authorizes the Texas Department of Transportation (department) to accept a donation in any form, including realty, personalty, money, materials, and services, for the purpose of carrying out its functions and duties. Government Code, Chapter 575, requires the governing board of a state agency to acknowledge the acceptance of a donation valued at \$500 or more by majority vote at an open meeting, not later than the 90th day after the date the donation is accepted. It also prohibits a state agency from accepting a donation from a person who is a party to a contested case before the agency until the 30th day after the date the decision in the case becomes final.

The Texas Transportation Commission (commission) has adopted 43 TAC §§1.500-1.506, which relate to the department's acceptance of donations. Section 1.503 authorizes the executive director to approve acceptance of donations to the department and requires that donations valued at \$500 or more must be acknowledged by order of the commission not later than the 90th day after the date the donation is accepted by the department. It further prohibits acceptance of a gift or donation when the donor is subject to department regulation or oversight or when the donor is interested in or likely to become interested in any contract, purchase, payment, or claim with or against the department, except as provided by that section. It also provides that the executive director may approve the acceptance of a donation, notwithstanding the foregoing proscriptions in the rules, if the executive director determines that acceptance would provide a significant public benefit and would not influence or reasonably appear to influence the department in the performance of its duties.

Transportation Code, §223.049 authorizes the department to contract with an owner of land adjacent to a highway that is part of the state highway system to construct an improvement on the highway right of way that is directly related to improving access to or from the owner's land. Exhibit A lists donations resulting from a contract executed by the department under Transportation Code, §223.049 and other donations accepted under Transportation Code, §201.206.

The commission established the Sponsorship Acknowledgement Program under 43 TAC Chapter 12, Subchapter K. The program, which is authorized by the Federal Highway Administration in FHWA Order 5610.1A, allows the department to place signs acknowledging donations made to the department to fund transportation related services. Exhibit B lists donations made to the department under the Sponsorship Acknowledgement Program.

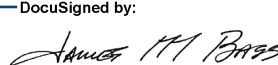
The executive director has determined that the donations identified in the attached exhibits comply with the applicable provisions of 43 TAC §§1.500-1.506, 43 TAC §12.353, Government Code, Chapter 575 and Transportation Code, §201.206, §223.049 and §224.001, and has approved acceptance of those donations. All required donation agreements have been executed under 43 TAC §1.504 and §1.506, as applicable.

IT IS THEREFORE ORDERED by the commission that it acknowledges the acceptance of the donations identified in the attached Exhibits A and B.

Submitted and reviewed by:

Recommended by:

DocuSigned by:  
  
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Director, Contract Services Division

DocuSigned by:  
  
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Executive Director

115876 Oct 29 2020

Minute	Date
Number	Passed

**EXHIBIT A  
DONATIONS  
October 29, 2020**

<b>NO.</b>	<b>DONOR</b>	<b>D/D/O</b>	<b>COUNTY</b>	<b>DESCRIPTION</b>	<b>DOLLAR AMOUNT</b>	<b>DATE APPROVED</b>
1.	Amazon.com Services LLC	Houston District	Fort Bend	The donor is donating the design and construction of an additional left turn lane and signal modifications to the existing traffic signal from westbound FM 1093 into the donor's development in Richmond, Fort Bend County, Texas. All design and construction work will be provided by the donor, its consultant, or its contractor. The estimated value of the donation is \$165,000.00.	\$165,000.00	9/23/2020
2.	Apple Inc.	Austin District	Travis and Williamson	The donor is donating the design and construction of intersection improvements for signal modifications, one median break, two eastbound left turn lanes, and three westbound right turn lanes on Parmer Lane and Dallas Drive in Austin, Williamson and Travis Counties, Texas. All design and construction will be provided by the donor, its consultant or its contractor. The estimated value of the donation is \$1,300,000.00, which includes payment for all state direct costs associated with the review, oversight, and inspection of the work that is on the state right of way.	\$1,300,000.00	9/28/2020
3.	A-S 151 NWC Fort Bend Pkwy-Hwy 6, L.P.	Houston District	Fort Bend	The donor is donating the design and construction of two deceleration lanes and one acceleration lane from westbound SH 6 into the donor's development in Missouri City, Fort Bend County, Texas. All design and construction work will be provided by the donor, its consultant, or its contractor. The estimated value of the donation is \$210,000.00.	\$210,000.00	9/23/2020
4.	Centex Las Estancias 2, L.P.	Austin District	Hays	The donor is donating the design (\$31,000.00) and a fixed amount of \$87,454.00 to cover the state's cost to construct a left turn and deceleration lane for the Las Estancias 2 subdivision on SH 21 in Hays County, Texas. The design work will be provided by the donor, its consultant or its contractor, TxDOT will accept the design, and let the project for construction as part of CSJ#0471-02-070.	\$118,454.00	9/10/2020

NO.	DONOR	D/D/O	COUNTY	DESCRIPTION	DOLLAR AMOUNT	DATE APPROVED
5.	Clayton Properties Group, Inc. dba Brohn Homes	Austin District	Hays	The donor is donating the design and construction of left turn and deceleration lanes on SH 21 at Haywood Manor and Yarrow Way in San Marcos, Hays County, Texas. All design and construction work will be provided by the donor, its consultant or its contractor. The estimated value of the donation is \$380,000.00, which includes payment for all state direct costs associated with the review, oversight, and inspection of the work that is on the state right of way.	\$380,000.00	9/23/2020
6.	Dlugosch III, LLC	Corpus Christi District	Karnes	The donor is donating the design (\$125,000) and a fixed amount of \$243,000 towards the state's cost of construction of a dedicated left turn lane on northbound US 181, a dedicated right turn lane on southbound US 181, a fourth leg of the intersection at US 181 and Business 123 as well as signal improvements to transition this to a 4-leg intersection adjacent to the Texan facility in Karnes County, Texas. All construction work will be provided by the state, its consultant or its contractor. The state will include the construction work as part of an existing project (0100-05-184). <i>(Replaces previously acknowledged on 9/24/2020 due to a correction in the date approved.)</i>	\$368,000.00	7/31/2020
7.	First GL Conroe, LLC	Houston District	Montgomery	The donor is donating the design and construction of a protected left turn lane from westbound SH 242 into the donor's development in Conroe, Montgomery County, Texas. All design and construction work will be provided by the donor, its consultant, or its contractor. The estimated value of the donation is \$150,000.00.	\$150,000.00	9/05/2020
8.	Forestar (USA) Real Estate Group, Inc.	San Antonio District	Bexar	The donor is donating the design and construction for widening a section of Loop 1604 approximately 2,000 LF north of FM 143 to accommodate a left turn deceleration lane into the Applewood Ranch development in San Antonio, Bexar County, Texas. All design and construction work will be provided by the donor, its consultant, or its contractor. The estimated value of the donation is \$40,000.00, which includes payment for all state direct costs associated with the review, oversight, and inspection of the work that is on the state right of way.	\$40,000.00	9/25/2020

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9.	HM Parkside Development, Inc.	Austin District	Williamson	The donor is donating the design and construction of a left turn and right turn deceleration lanes on RM 2243 at the Greenview Drive intersection in Georgetown, Williamson County, Texas. All design and construction will be provided by the donor, its consultant or contractor. The estimated value of the donation is \$820,000.00, which includes payment for all state direct costs associated with the review, oversight, and inspection of the work that is on the state right of way.	\$820,000.00	9/10/2020
10.	JBM Interests LLC	Wichita Falls District	Cooke	The donor is donating the design and construction of two right turn deceleration lanes on Hwy 82 west bound into a new Bailey Ranch Estates subdivision in Lindsay, Cooke County, Texas. All design and construction work will be provided by the donor, its consultant or its contractor. The estimated value of the donation is \$60,000.00.	\$60,000.00	9/19/2020
11.	Libertas Tyler, LLC	Tyler District	Smith	The donor is donating the design and construction of the fourth leg of an existing three-legged intersection into the donor's development on South Southeast Loop 323 in Tyler, Smith County, Texas. The improvements consist of demolition, traffic control, concrete, signal work and pavement markings. All design and construction work will be provided by the donor, its consultant or its contractor. The estimated value of the donation is \$137,500.00.	\$137,500.00	9/18/2020
12.	Mackenzie Creek, Ltd.	Houston District	Montgomery	The donor is donating the design and construction of a traffic signal on Loop 336 at Barton Woods Blvd. in Conroe, Montgomery County, Texas. All design and construction work will be provided by the donor, its consultant, or its contractor. The estimated value of the donation is \$250,000.00.	\$250,000.00	9/28/2020
13.	Miralomas Development Corporation	San Antonio District	Kendall	The donor is donating the design and construction of roadway widening to accommodate left and right turn lanes on SH 46 starting 430 feet north of Monarca and continuing north for 1,200 feet in Kendall County, Texas. All design and construction will be performed by the donor, its consultant or its contractor. The estimated value of the donation is \$970,000.00.	\$970,000.00	9/22/2020

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14.	North Texas Archeological Society	Environmental Division	Denton	The donor is donating the approximately 288 volunteer hours provided by donor's members as participants in archaeological screening and artifact analysis for sites within the FM 455 project area (CSJ: 0816-02-072) in Sanger, Denton County, Texas. Volunteers will participate as archaeological screeners and artifact analysts of recovered material under supervision of state staff and consultants. The estimated value of the donation is \$14,000.00.	\$14,000.00	9/25/2020
15.	QuikTrip Corporation	San Antonio District	Medina	The donor is donating the design and construction of an existing signal by upgrading the radar detection and relocating one of the existing signal poles to accommodate a proposed driveway on SH 173 in Devine, Medina County, Texas. The work will also include additional intersection signing, and some pedestrian elements to the intersection on SH 173. All design and construction will be performed by the donor, its consultant and its contractor. The estimated value of the donation is \$60,000.00.	\$60,000.00	9/23/2020
16.	Rankin 45 Industrial, LLC	Houston District	Harris	The donor is donating the design and construction of a traffic and pedestrian signal poles and signal heads from westbound and eastbound Rankin Road at the intersection of the North Freeway northbound frontage road in Houston, Harris County, Texas. All design and construction work will be provided by the donor, its consultant, or its contractor. The estimated value of the donation is \$20,000.00.	\$20,000.00	9/05/2020
17.	San Manuel Properties, LLC	San Antonio District	Bexar	The donor is donating the design and construction of the eastbound frontage road of Loop 1604 from SH 16 to the proposed driveway access point to the tract at the southeast corner of Loop 1604 and SH 16 in Bexar County, Texas. This project also includes the signalization of the intersection of loop 1604 and SH 16 in Bexar County. All design and construction will be provided by the donor, its consultant or its contractor. The estimated value of the donation is \$210,000.00.	\$210,000.00	9/25/2020

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18.	Smiley Face Ranch, LLC	Austin District	Bastrop	The donor is donating the fixed amount of \$76,120.00 towards the state's cost to design and construct a center turn lane on SH 304 from 0.5 miles south of La Reata Trail to 1.0 miles south of La Reata Trail in Bastrop County, Texas. All design and construction will be provided by the state. This project will be part of a current TXDOT project under CSJ #0573-01-039.	\$76,120.00	9/09/2020
19.	Sun NG Whitewater RV LLC	San Antonio District	Comal	The donor is donating the design and construction of an extension to an existing two-way left turn lane, a right turn lane, shoulder improvements and relocation of existing roadside flashing beacon on FM 306, approximately 0.30 miles southeast of FM 2673, in Comal County, Texas. All design and construction will be performed by the donor, its consultant or its contractor. The estimated value of the donation is \$580,000.00. <i>(Replaces previously acknowledged on 5/28/2020 due to a change in scope and an increase in the estimated value of the donation from \$500,000.00 to \$580,000.00.)</i>	\$580,000.00	9/10/2020
20.	TG East Wind Project, LLC	Childress District	Knox and Foard	The donor is donating an amount sufficient to cover the state's cost to repair roadway damages due to increased wind farm construction traffic cause by TG East Wind Project, LLC Knox County. The roadways affected by this wind farm construction traffic are FM 1756 from SH 6 east to FM 267 in Knox County and FM 267, from US 82 north to US 70 in Knox and Foard Counties. The donation will reimburse the state for labor, equipment, and material costs during the wind farm construction in Knox County. The estimated value of the donation is \$100,000.00.	\$100,000.00	9/18/2020
21.	TRG Avery Ranch LLC	Austin District	Williamson	The donor is donating a fixed amount of \$91,052.00 towards the state's costs to design and construct a right turn deceleration lane on US 183A northbound frontage road, north of Avery Ranch Road in Cedar Park, Williamson County, Texas. All design and construction will be provided by the state. This project will be part of a current TXDOT project under CSJ #0151-10-001.	\$91,052.00	9/11/2020

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22.	Willis Hillside RV Resort LLC	Houston District	Montgomery	The donor is donating the design and construction of a left turn lane and road widening from west bound 1097 east into the Willis Hillside RV Resort, LLC development in Willis, Montgomery County, Texas. All design and construction work will be provided by the donor its consultant, or its contractor. The estimated value of the donation is \$100,000.00.	\$100,000.00	9/23/2020

**EXHIBIT B**  
**DONATIONS**  
**October 29, 2020**

<b>NO.</b>	<b>DONOR</b>	<b>D/D/O</b>	<b>COUNTY</b>	<b>DESCRIPTION</b>
1	Total Men's Primary Care	Dallas	Collin	The donor is donating 1 mile of litter pick up per month for 2 years under the Sponsor A Highway Program.
2	The Inspection House	Dallas	Dallas	The donor is donating 1 mile of litter pick up per month for 2 years under the Sponsor A Highway Program.
3	Link Staffing	Fort Worth	Tarrant	The donor is donating 1 mile of litter pick up per month for 2 years under the Sponsor A Highway Program.
4	AMCAP Mortgage, LTD.	Houston	Brazoria	The donor is donating 1 mile of litter pick up per month for 2 years under the Sponsor A Highway Program.
5	Mambo Management LP (dba) Mambo Seafood	Houston	Fort Bend	The donor is donating 1 mile of litter pick up per month for 2 years under the Sponsor A Highway Program.
6	AMCAP Mortgage, LTD.	Houston	Harris	The donor is donating 3 miles of litter pick up per month for 2 years under the Sponsor A Highway Program.
7	Gallery Model Homes, Inc. DBA Gallery Furniture	Houston	Harris	The donor is donating 1 mile of litter pick up per month for 2 years under the Sponsor A Highway Program.
8	Nations Reliable Lending, LLC	Houston	Harris	The donor is donating 2 miles of litter pick up per month for 2 years under the Sponsor A Highway Program.
9	Nationwide Specialty Finance, Inc (dba) Drive Away	Houston	Harris	The donor is donating 1 mile of litter pick up per month for 2 years under the Sponsor A Highway Program.
10	Silvestri Investments, Inc.	Houston	Harris	The donor is donating 1 mile of litter pick up per month for 2 years under the Sponsor A Highway Program.